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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

KATHLEEN VENTIMIGLIA,
 individually, and as the Guardian Ad Litem
 for STEPHEN VENTIMILIA and KELLIE
 VENTIMILIA,
 Plaintiffs,
 v.
 UNITED STATES OF AMERICA,
 CHAMBLIN-LANDES
 CONSTRUCTION, INC., a California
 corporation, and DOES 1-50, inclusive,
 Defendants

No. 07-05481 RS

**DEFENDANT USA'S STATEMENT
 OF NONOPPOSITION TO
 PLAINTIFF'S MOTION FOR LEAVE
 TO FILE FIRST AMENDED
 COMPLAINT**

Pursuant to Civil Local Rule 7-3(b), defendant United States of America ("USA")
 hereby states that it does not oppose plaintiff's motion for leave to file a first amended
 complaint.

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1 Because it appears that new allegations of the proposed amended complaint do not
2 relate to defendant USA, defendant USA requests that any order granting plaintiff's motion
3 state that defendant USA need not file an answer to the amended complaint.
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5 DATED: August 27, 2008

JOSEPH P. RUSSONIELLO
United States Attorney

7 /s/ Claire T. Cormier

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Assistant United States Attorney
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